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In re Application of	:	
Rastelli et al.	:	
Application No. 09/715,418	:	DECISION
Filed: 16 November, 2000	:	UNDER 37 CFR 1.28(c)
Attorney's Docket No. 15966-604	:	

This is in response to the deficiency fee payment filed pursuant to 37 CFR 1.28(c) on 1 June, 2001.

37 CFR 1.28(c) states, "The deficiency is based on the amount of the fee, for other than a small entity, in effect at the time the deficiency is paid in full."

The current filing fees due for a large entity are the basic filing fee of \$710.00, the fee for independent claims in excess of three of \$80.00, and the fee for 20 claims in excess of 20 of \$360.00. On 27 August, 1999, \$575.00 was paid. Therefore, a deficiency of **\$575.00** is due. Petitioner has submitted a check in the amount of \$575.00. However, petitioner is ultimately responsible for ensuring that the correct fee is paid and MUST notify the Office if the above calculations are incorrect.

Small entity status will no longer apply.

The file is being forwarded to the Office of Initial Patent Examination for further processing.

There is no indication that petitioner herein was ever empowered to prosecute the instant application. If petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney documentation must be submitted. If the new power of attorney and/or change of address is signed

by an assignee, the assignee must comply with the requirements of 37 CFR 3.73(b). A courtesy copy of this decision will be mailed to petitioner. All future correspondence, however, will be mailed solely to the correspondence address of record.

Telephone inquiries should be directed to Petitions Attorney Douglas I. Wood at (703)308-6918.

Beverly M. Flanagan

Beverly M. Flanagan
Supervisory Petitions Examiner
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